



Dkt. 1481/65021/JPW/AJM/DNS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael J. Elliott, et al.
U.S. Serial No.: 08/602,272 Examiner: K. Canella
Filed : February 16, 1996 Group Art Unit: 1641
For : METHODS OF PREVENTING OR TREATING THROMBOSIS
WITH TUMOR NECROSIS FACTOR ANTAGONISTS

1185 Avenue of the Americas
New York, New York 10036
April 26, 2005

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION FOR A FIVE-MONTH EXTENSION OF TIME AND SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT ACCOMPANYING REQUEST FOR
CONTINUED EXAMINATION (RCE)**

On March 25, 2004, a Final Office Action was issued in connection with the subject application. On July 26, 2004, applicants filed a Communication in Response to the Final Office Action. A Notice of Appeal was filed in connection with the subject application on September 23, 2004. The self addressed return postcard enclosed with the September 23, 2004 Notice of Appeal was stamped as received on September 27, 2004 by the Office of Initial Patent Examination. A copy of this date-stamped postcard is attached as **Exhibit A.**

Accordingly, the deadline for filing an appeal brief was November 27, 2004.

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Applicants hereby request a five-month extension of time for filing an appeal brief. The required fee for a five-month extension of time is TWO THOUSAND ONE HUNDRED SIXTY DOLLARS(\$2,160.00) and a check for this amount is enclosed. An appeal brief is now due April 27, 2005. Accordingly, the subject application is pending today and the accompanying Request for Continued Examination (RCE) being filed herewith in lieu of an appeal brief is timely filed.

Supplemental Information Disclosure Statement

In accordance with their duty of disclosure under 37 C.F.R. § 1.56, applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit B**) and attached hereto.

Applicants are filing this Supplemental Information Disclosure Statement under C.F.R. §1.97(b), before the mailing of the first office action on the merits. Accordingly, applicants request that this Supplemental Information Disclosure Statement be considered.

1. Centocor, Inc.'s Remicade (infliximab) Products Webpage, http://www.centocor.com/cgi-in/site/products/prod_remicade.cgi (June 22, 2004) (**Exhibit 1**);
2. October 28, 1999 Pharmacological Review for Remicade (infliximab) from the U.S. Food and Drug Administration's Center For Drug Evaluation And Research, <http://www.fda.gov/cder/biologics/review/inflcen111099r2.pdf> (June 21, 2004) (**Exhibit 2**); and

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3. Label and Approval History for Remicade (infliximab) from the U.S. Food and Drug Administration's Center for Evaluation And Research, http://www.accessdata.fda.gov/scripts/cder/drugsatfda/index.cfm?fuseaction=Search.Label_ApprovalHistory#apphist (June 21, 2004) (**Exhibit 3**).

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

No fee, other than the enclosed checks for \$2,160.00 for a five-month extension of time and \$790.00 for filing a Request for Continued Examination (RCE), is deemed necessary in connection with the filing of this RCE, Petition and Supplemental Information Disclosure Statement. However, if any additional fee is required, authorization is given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop #F Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.	
Alan J. Morrison Reg. No. 37,399	Date 4/26/05

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Applicant Marc Feldmann, et al.

Client Kennedy Institute (1481) File No. 65021 Att'y. JPW/AJM/CY

Date September 23, 2004

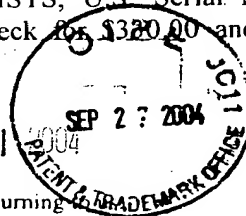
Kindly acknowledge receipt of the accompanying

NOTICE OF APPEAL FROM THE EXAMINER'S DECISION TO THE BOARD OF PATENT APPEALS AND INTERFERENCES for Michael J. Elliott, et al., METHODS OF PREVENTING OR TREATING THROMBOSIS WITH TUMOR NECROSIS FACTOR ANTAGONISTS, U.S. Serial No. 08/602,272, filed February 16, 1996, including a check for \$320.00 and a Certificate of Mailing dated September 23, 2004.

DUE DATE: September 25, 2004

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by placing your receiving date stamp hereon and returning to



BEST AVAILABLE COPY

Applicants: Michael J. Elliott, et al.
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Exhibit A